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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,227	08/21/2003	Hisatsugu Naito	1232-5117	7139
27123	7590	01/20/2006	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			HUFFMAN, JULIAN D	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/645,227	Applicant(s) NAITO, HISATSUGU	
	Examiner Julian D. Huffman	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1 and 3-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not provide antecedent basis for the terms predetermined speed and predetermined position, as they are used in the claims. The specification refers to ideal speed and ideal position. The examiner recognizes that the ideal speed and position are in fact predetermined values, and thus the specification is enabling, however, the specification does not use the terms predetermined speed and predetermined position as they are used in the claims.

### ***Claim Objections***

3. Claims 1 and 3-16 are objected to because of the following informalities:

In claim 1, line 5, both occurrences of "an predetermined" should be changed to "a predetermined".

In claim 6, line 4, both occurrences of "an predetermined" should be changed to "a predetermined".

In claim 7, lines 11, "an predetermined" should read "a predetermined".

All other claims are objected to by way of their dependency from claims 1, 6 and 7.

Appropriate correction is required.

#### ***Allowable Subject Matter***

4. Claims 1 and 3-16 would be allowed if rewritten to overcome the objections outlined above.

The primary reason for the indication of allowable subject matter in claims 1, 3-5 and 8 is the inclusion of an apparatus for controlling a printhead of a printing apparatus which prints by relatively moving the printhead across a printing medium, including control means for feedback-controlling a carrier supporting the printhead by using an predetermined speed and an predetermined position and wherein said control means does not refer to, as speed information used for feedback control, the carrier speed information detected by said carrier speed detection means, and refers to the predetermined speed or the estimated speed until the carrier moves by a predetermined amount after start of operation. It is these limitations found in the claims, as they are

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claimed in the combination of, which have not been found, taught or suggested by the prior art of record.

The primary reason for the indication of allowable subject matter in claims 6 and 9-12 is the inclusion of a method of controlling a printhead of a printing apparatus which prints relatively by moving the printhead across a printing medium, including, a control step of feedback-controlling a carrier supporting the printhead by using an predetermined speed and an predetermined position and wherein in said control step, the carrier speed information detected by said carrier speed detection step is not referred to, and the predetermined speed or the estimated speed is referred to as speed used for the feedback control unit until the carrier moves a predetermined amount after start of operation. It is these steps found in the claims, as they are claimed in the combination of, which have not been found, taught or suggested by the prior art of record.

The primary reason for the indication of allowable subject matter in claims 7 and 13-16 is the inclusion of an apparatus for controlling a printhead of a printing apparatus which prints by relatively moving a carrier supporting the printhead across a printing medium, including, control means for feedback controlling the carrier by using a predetermined speed profile and wherein said control means feedback-controls the carrier by using the speed information stored in the storing means without referring to the speed information detected by the encoder means and with referring to an predetermined speed or an estimated speed until the carrier moves in a predetermined moving amount from the start of movement, and feedback-controls the carrier by using

the speed information detected by the encoder means after the moving amount of the carrier becomes greater than the predetermined moving amount. It is these limitations found in the claims, as they are claimed in the combination of, which have not been found, taught or suggested by the prior art of record.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Julian D. Huffman  
7 January 2006